

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ATIF MALIK,

Defendant.

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Criminal No. 11-130 (SRC)

**ORDER**

This matter having come before the Court on Defendant's Motion for Reduction of Sentence [docket item # 40]; and

**IT APPEARING** that Federal Rule of Criminal Procedure 35, which governs the correction or reduction of a sentence, applies to the instant motion; and it further

**APPEARING** that Rule 35(b) provides that the government may move for a reduction of sentence for substantial assistance provided by the defendant in investigating or prosecuting another person; and it further

**APPEARING** that Rule 35 does not contemplate motions for the reduction of a sentence filed by a defendant; and it further

**APPEARING** that Defendant has no standing under Rule 35 to obtain the relief sought;

For the foregoing reasons,

**IT IS** on this 28<sup>th</sup> day of January 2013,

**ORDERED** that Defendant's Motion For Reduction of Sentence [docket item # 40] be  
and hereby is **DENIED**.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.